



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

APR 11 2019

Caitlin Girouard
289 North Plank Road, Suite 3
Newburgh, NY 12550

RE: MUR 7498

Dear Ms. Girouard:

The Federal Election Commission reviewed the allegations in your complaint received on September 17, 2018. On April 8, 2019, based upon the information provided in the complaint, and information provided by the respondent, the Commission decided to exercise its prosecutorial discretion to dismiss the allegations as to The AntiCorruption League, and Jennifer May, in her official capacity as treasurer, and close its file in this matter. Accordingly, the Commission closed its file in this matter on April 8, 2019. A copy of the General Counsel's Report, which more fully explains the basis for the Commission's decision, is enclosed.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66132 (Dec. 14, 2009).

The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action. See 52 U.S.C. § 30109(a)(8).

Sincerely,

Lisa J. Stevenson
Acting General Counsel

BY: Jeff S. Jordan
Assistant General Counsel

Enclosure
General Counsel's Report

1004100114001

BEFORE THE FEDERAL ELECTION COMMISSION

**ENFORCEMENT PRIORITY SYSTEM
DISMISSAL REPORT**

MUR: 7498

Respondents: The AntiCorruption League and
Jennifer May, as Treasurer
("the Committee")¹

Complaint Receipt Date: September 17, 2018

Response Date: November 21, 2018

EPS Rating:

Alleged Statutory

**52 U.S.C. §§ 30104(b)(4), (8);
30114(b)**

Regulatory Violations:

**11 C.F.R. §§ 104.3(b)(1); 104.11;
113.2(d)**

The Complaint alleges that a debt of \$7,000 to Thies & Grenell, LLC was not properly disclosed in the Committee's 2017 Year End Report and its 2018 Monthly Reports between March and August of that year.² The Response states that the payments made to Thies & Grenell, LLC were reported on the Committee's 2018 August Monthly Report when the Committee states it received and paid the invoices.

Based on its experience and expertise, the Commission has established an Enforcement Priority System using formal, pre-determined scoring criteria to allocate agency resources and assess whether particular matters warrant further administrative enforcement proceedings. These criteria include (1) the gravity of the alleged violation, taking into account both the type of activity and the amount in violation; (2) the apparent impact the alleged violation may have had on the electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in

¹ Zephyr Teachout was a 2016 candidate for the U.S. House of Representatives from the 19th Congressional District of New York. The AntiCorruption League, formerly Zephyr Teachout for Congress, is Teachout's Leadership PAC.

² Based on the timing of the \$7,000 payment, the Complaint speculates that the Committee may have paid debts incurred by Zephyr Teachout's campaign for New York Attorney General. Respondents deny this allegation.

potential violations and other developments in the law. This matter is rated as low priority for Commission action after application of these pre-established criteria. Given that low rating, the modest reporting amount at issue, and the fact that the Committee subsequently reported its disbursements to Thies & Grenell, LLC, we recommend that the Commission dismiss the Complaint consistent with the Commission's prosecutorial discretion to determine the proper ordering of its priorities and use of agency resources. *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985). We also recommend that the Commission close the file as to all Respondents and send the appropriate letters.

Lisa J. Stevenson
Acting General Counsel

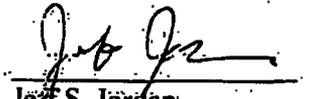
Charles Kitcher
Acting Associate General Counsel for
Enforcement

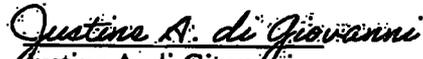
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Date

BY:


Stephen Gura
Deputy Associate General Counsel


Jeff S. Jordan
Assistant General Counsel


Justine A. di Giovanni
Attorney

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